

Remarks

Claims 1 to 3 , 5 and 6 will be cancelled and claims 27 to 52 will be pending in the application following entry of this amendment. The remaining claims were previously cancelled.

The amendment to the specification is being made to update the priority data. Applicants respectfully submit that no new prohibited matter has been introduced by the amendments to the specification and to the claims. While written description support for the claims can be found throughout the specification, examples of specific support for the claim amendments can be found in the specification beginning on page 12, line 31 through page 32, line 4 and in original claims 5 and 6.

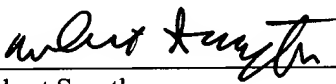
Restriction Requirement Under 35 U.S.C. 121

In response to the Restriction Requirement **Applicants hereby elect to prosecute the claims of Group II (claims 5 to 6, drawn to chip arrays of oligonucleotides) with traverse.** With regard to the traversal, Applicants submit that a search of the prior art for claims 1 to 3 in Group I would not represent an undue burden when conducting a search of the elected invention because they both share the common structural feature of being related to the coding sequences of the BRCA1 gene (SEQ ID NO: 1, 3 and 5) disclosed in the present application. Furthermore, Applicants submit that the new claims (claims 27 to 52) all constitute subject matter encompassed in Group II related to chip arrays of oligonucleotides (original claims 5 and 6) and that further restriction of the new claims is not necessary.

Except for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 26, 2004**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Robert Smyth
Registration No. 50,801